

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19484 – APPLICANT: LIVING WATER BAPTIST CHURCH

**** CONDITIONS ****

The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-20602) and Special Use Permit (SUP-19483) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/29/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow no landscape buffer along the northeast property line where an eight-foot buffer and 33 trees are required in order to accommodate a natural wash .
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein, including revision of handicapped parking spaces to the specifications of Title 19.10.010 and to include a wall or fence separating the eastern boundary of the parking lot from the undeveloped portion of the property.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include changes from the conceptual landscape plan to reflect proper placement of the parking lot trees in landscape fingers spaced one per six spaces or in islands spaced 30 feet on center, and an additional five 24-inch box trees in the south perimeter landscape buffer for a total of 29 trees spaced 20 feet on center.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Landscape and maintain all unimproved right-of-way, if any, on Sandhill Road adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Sandhill Road public right-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
17. Site development to comply with all applicable conditions of approval for ZON-20602 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a 10,327 square foot church and a waiver to allow no landscaping along a portion of the north property line where a minimum eight foot wide buffer is required on the east side of Sandhill Road north of Washington Avenue. A related Rezoning (ZON-20602) from R-E (Residence Estates) to R-2 Medium-Low Density Residential) and a Special Use Permit (SUP-19483) for a Church/House of Worship and will be considered concurrently.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/21/02	The City Council approved a Special Use Permit (U-75-02) for a Church/House of Worship on the subject site.
04/12/07	The Planning Commission will consider concurrently related applications Special Use Permit (SUP-19483) for a Church/House of Worship and Variance (VAR-20165) to allow a residential adjacency setback for proximity slope of 75 feet where 90 feet is the minimum setback required.
04/12/07	The Planning Commission recommended approval of companion items ZON-20602 and SUP-19483 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #72/rl).
<i>Pre-Application Meeting</i>	
12/01/06	A pre-application meeting was held to discuss the requirements for a Site Development Plan Review and a Special Use Permit associated with a proposed Church/House of Worship.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.88

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Open Space, Undeveloped	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Residential – Compact Lot)
East	Open Space, Undeveloped	L (Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
West	Open Space, Single Family Residential	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 SF	123,398 SF	Y
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			
• Front	30 Feet	96 Feet	Y
• Side	15 Feet	50 Feet	Y
• Rear	20 Feet	100 Feet	Y
Max. Lot Coverage	NA	4%	Y
Max. Building Height	35 Feet	22 Feet	Y
Trash Enclosure	Screened, 50 Feet from Residential	Not Shown	NA
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08.060

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	66 Feet	75 Feet	Y
Adjacent development matching setback	10 Feet	75 Feet	Y
Trash Enclosure	50 Feet	Not Shown	NA

Pursuant to Title 19.10 and 19.12

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	15 Trees	15 Trees	N*
Buffer:				
Min. Trees				
Along Sandhill	1 Tree/20 Linear Feet	7 Trees	7 Trees	Y
Along South	1 Tree/20 Linear Feet	29 Trees	24 Trees	N**
Along Wash	1 Tree/20 Linear Feet	33 Trees	3 Trees	N***
TOTAL		84 Trees	49 Trees	N****
Min. Zone Width				
• Along Sandhill	15 Feet		15 Feet	Y
• Interior Lines	8 Feet		8 Feet	Y
• Along Wash	8 Feet		0 Feet	N****

* While a sufficient number of trees are shown for the parking area, an additional six parking lot landscape fingers shall be included in the technical landscape plan in order to maintain a ratio of one finger per six spaces in areas without landscape islands, pursuant to Title 19.10.010 (H) (10).

** An additional five 24-inch box trees will be included in the south perimeter landscape buffer on the technical landscape plan as a condition of approval for a total of 29 trees spaced 20 feet on center.

*** Subject of requested Waiver, below.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Fixed Seating	200 Seats	1/4 Seats	50				
Banquet Hall	1,000 SF	1/100 SF	10				
Subtotal			57	3	78	8*	
TOTAL (including handicap)			60		86		Y

- * Per condition of approval, handicapped accessible parking spaces must be have an adjacent side access aisle on each side, pursuant to Title 19.10.010 (G).

Waivers		
Request	Requirement	Staff Recommendation
No landscape buffer along wash to accommodate drainage easement.	8 Foot wide buffer with one tree every 20 linear feet	Approval

ANALYSIS

- Zoning

The subject property is zoned R-E (Residence Estates). The R-E zoning district is intended to provide low-density residential units located on large lots, which suggests the atmosphere of a rural environment. The R-E District provides for a much lower density than the Medium-Low Density Residential category that is the General Plan Land Use designation on the subject site. In order to bring the zoning into conformance with the General Plan designation, the applicant has submitted a requested Rezoning (ZON-20602) to R-2 (Medium-Low Density Residential). The purpose of the R-2 District is to establish lots primarily for medium to low density single-family detached units and duplex units. The R-2 District is consistent with the policies of the Medium-Low Density and Medium-Low Attached Residential categories of the General Plan. The proposed use as a Church/House of Worship is permitted in the proposed R-2 zone with the approval of a Special Use Permit. A concurrent application (SUP-19483) is intended to satisfy the Special Use Permit requirement.

- Site Plan

The site plan depicts a 10,327 church to be constructed in two phases. Site access is provided via Sandhill Road, an 80-foot Secondary Collector street according to the Master Plan of Streets and Highways. 86 parking stalls are provided on the site where 60 spaces are required, for a surplus of 43%. Conditions of approval will require adjacent side access aisles on each side of designated handicapped accessible parking spaces, as well as the addition of six parking lot landscaping fingers which may reduce the parking surplus.

- Landscape Plan

The landscape plan indicates sufficient numbers of trees for the parking area; however, most of these trees are planted in parking lot islands adjacent to the back three rows of the parking lot. As such, the parking spaces along the front, side and the perimeter of the church structure do not have enough landscaping pursuant to Title 19. As such, a condition of approval will require the addition of six parking lot landscaping fingers. The perimeter landscape buffer along the east and south of the property are of sufficient width. The south buffer shows only 24 trees where 29 are required, and those additional five trees will have to be shown in the technical landscape plan prior to the application for building permits. A waiver is requested by the applicant to allow no landscape buffer along the remaining perimeter of the lot as it is adjacent to a natural wash and the planting of a landscape buffer would inhibit the natural drainage area.

- Elevations and Floor Plans

The floor plan shows a 2,486 worship area along with three classrooms, three offices, a food warming area, a toddler room and various mechanical and storage closets in the first phase. In addition, a 1,531 square foot light storage area is depicted on the second floor. This area has been included as usable space in the analysis of this site plan, and if deemed to be usable by the building department will have to be constructed to standards as such. The ceiling height in that light storage area will range from four feet on the sides to approximately 15 feet in the center. A future expansion included in the site plan analysis will include an additional five study rooms, a 1,000 square-foot banquet room, break room, courtyard and additional restrooms. The elevations show a traditional church design with “S” mission tile roofing. The stucco relief exterior will be painted a “canewood” beige and be accented with “southwestern sand” and “seasoned acorn” trim. The church building ranges in height from 16 feet to a peak of 30 feet. The 30-foot peak, however, faces single family residences to 75 feet to the south, and as such is the subject of a Variance (VAR-20165) to allow this residential adjacency setback where 90 feet are required to accommodate the 3:1 proximity slope ratio for the 30-foot height.

- Waivers

A waiver is requested by the applicant to allow no landscape buffer along the northeast perimeter of the lot as it is adjacent to a natural wash and the planting of a landscape buffer would inhibit the natural drainage area.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

Upon approval of the companion Rezoning (ZON-20602) and Special Use Permit (SUP-19483) the proposed development is compatible with adjacent development and development in the area.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

With the Rezoning to R-2 (Medium-Low Density Residential) and the requested waiver of perimeter buffer landscape requirements along the northeast property line, the proposed development is consistent with the General Plan, Title 19, for Design, Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The capacity of Sandhill Road, an 80-foot Secondary Connector, with the required 40-foot right-of-way dedication and construction of both half-street improvements and temporary termination, is adequate to meet the requirements of the proposed church use.

4. **Building and landscape materials are appropriate for the area and for the City;**

The landscape materials are appropriate for the desert environment of the greater Las Vegas Valley area. The building materials are in compliance with Title 19 and provide an aesthetically pleasing addition to the area. Conditions of approval will further enhance the landscaping provided. While a perimeter landscape waiver has been requested for the northeast property line, the site design is consistent with Title 19 in its attempt to best preserve the natural state of the adjacent wash.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposal provides two phases of construction. The first phase is for the main portion of the church. The second phase adds additional study and banquet facilities for the congregation. The complete design provides an adequate area for the building to meet Title 19 residential adjacency setbacks for the building height.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The development will require building permits from the Department of Building and Safety which will assure the public health, safety and general welfare are secured.

PLANNING COMMISSION ACTION

The Planning Commission considered a condition to require that the parking lot be gated to prevent vehicular access when church is not in use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 475 by Planning Department

APPROVALS 0

PROTESTS 0